

ATTICA TOWNSHIP  
MINUTES OF THE  
ZONING BOARD OF APPEALS  
August 24, 2017

At a meeting of the Attica Township Zoning Board of Appeals held on the 24<sup>th</sup> day of August, 2017 at the Attica Township Hall, 4350 Peppermill Road, Attica, MI, 48412, the following members were present: Kent Gierman, Elaine Thayer, Bill Winslow, Carol Eisenhardt and Richard Lacey. Absent: None.

**REVIEW MINUTES:**

The Board having reviewed the last meeting minutes of July 27, 2017 and there being no corrections, additions or deletions:

**MOTION** by Thayer, seconded by Eisenhardt to approve the July 27, 2017 Zoning Board of Appeal minutes as presented. A vote was taken. Ayes: All (5); Nays: None (0). Absent: None.

**MOTION CARRIED.**

Chairman Gierman opened the meeting to consider the variance request of Darlene Hunt for a variance from the zoning ordinance to divide her property which does not meet the required minimum acreage. The property in question is located at 2374 Miller Road, Metamora, Michigan 48455.

Darlene Hunt was present and Supervisor Ochadleus represented Mrs. Hunt and explained that up until the mid-1970's the minimum square footage for a parcel was one acre with 100 foot of road frontage and easements were allowed in the AG district. There are easements that run through Mrs. Hunt's property. Supervisor Ochadleus explained the history of the flag lots, minimum acreage requirements, and easements in Attica Township and went on to state that there are many parcels in this mile section of Miller Road with parcels behind parcels and that the granting of the variance will not exacerbate the situation that is already there. Supervisor Ochadleus stated he suggested Mrs. Hunt apply for a variance to accomplish what she needed.

Mrs. Hunt's daughter, Debra Fleming, explained that her mother does not have the resources to go to elder care and that she will be the one taking care of her mother and she wants to be near her to take care of her.

Chairman Gierman discussed the option of tearing down the trailer home after Mrs. Hunt's death and leaving it as one parcel.

**PUBLIC HEARING:**

Chairman Gierman opened the public hearing at 6:38 p.m.

Resident Sean Falconer, of 2400 Miller Road, stated that he lives on property adjacent to Mrs. Hunt and that when he built his house seven years ago he was under the impression that he would be able to keep his privacy due to

Attica Township's zoning ordinance.

Resident Dave Durban, of 2340 Miller Road, stated that he lives north of the subject property and that he bought it because of its rural nature and stated that if the variance is granted with the condition that the trailer be torn down he would like there to be a definitive end date for it to be torn down.

There was discussion.

Chairman Gierman closed the public hearing at 6:47.

**ZBA DISCUSSION:**

There was discussion regarding congestion, property setbacks, driveways/easements, well and septic and non-conforming lots. There was discussion regarding allowing two homes on the one parcel as to not end up with two non-conforming lots. There was lengthy discussion.

**VARIANCE REQUEST MOTION:**

**MOTION** by Eisenhardt, seconded by Lacey to grant Darlene Hunt of 2374 Miller Road, Metamora, Michigan, 48455 (44-003-029-033-00) a variance to allow two homes on the parcel with the condition that the trailer home and all sheds and outbuildings be removed within one year of the death of Darlene Hunt with a performance bond of \$500.00. The variance is granted due to the issue of taking care of an elderly parent. A roll call vote was taken. Winslow: Aye; Thayer: Aye; Eisenhardt: Aye; Lacey: Aye and Gierman: Aye. Ayes: All (5); Nays: None (0). Absent: None (0).

**MOTION CARRIED.**

There being no further business before the Zoning Board of Appeals, **MOTION** by Lacey, seconded by Eisenhardt to adjourn the meeting at 7:06 p.m. A vote was taken. Ayes: All; Nays: None. **MOTION CARRIED.**

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Kent Gierman, Chairman

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Valerie Schultz, Recording Secretary